

Message Text

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61

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L/ARA - DGANTZ (DRAFT)

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ARA-LA/PAN - PFMORRIS (DRAFT)

ARA/PAN - HLSTEIN

S/S :WHLUERS

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R 032143Z MAR 75

FM SECSTATE WASHDC

TO AMEMBASSY PANAMA

C O N F I D E N T I A L STATE 047211

STADIS//////////

EXDIS

E.O. 11652: GDS

TAGS: PN, US, CU, EAID, PFOR

SUBJECT: RESTRICTIONS OF CUBAN TRADE

REFERENCE: STATE 029161; BOWDLER-JORDEN TELCON, 2/21/75

1. COUNTRIES REGISTERING VESSELS UNDER THEIR FLAG
NORMALLY ARE CONSIDERED TO HAVE FULL AUTHORITY TO REGULATE
SUCH VESSELS. IN THIS PROCESS, WE WOULD ASSUME THAT
COUNTRIES WHICH ARE IN FACT COMMITTED TO PROHIBITING
THEIR FLAG VESSELS FROM TRADING WITH CUBA WOULD TAKE
APPROPRIATE MEASURES TO SEE THAT OWNERS AND/OR MASTERS OF
THEIR FLAG VESSELS ARE AWARE OF THE RESTRICTION
AND ARE COMPLYING WITH IT.

2. THE QUESTION OF WHETHER A VESSEL FLIES A SO-CALLED
QUOTE FLAG OF CONVENIENCE UNQUOTE IS NOT RELEVANT UNDER
FAA SECTION 620 (A) (3). THE LEGISLATION EXPRESSLY
APPLIES THE RESTRICTIONS ON CUBAN TRADE TO QUOTE SHIPS AND
AIRCRAFT UNDER ITS REGISTRY UNQUOTE WITHOUT REFERENCE
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TO ANY QUOTE GENUINE LINK UNQUOTE BETWEEN THE SHIP AND ITS

FLAGS OR EXCEPTION FOR SHIPS FLYING FLAGS OF CONVENIENCE.
OTHER COUNTRIES -- SUCH AS CYPRUS AND LIBERIA -- HAVE BEEN
FACED WITH THE SAME SITUATION; NO EXCEPTIONS HAVE BEEN
MADE. KISSINGER

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